

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Michael Wade Rapoza

Docket No. 4:14-CR-37-2BO

Petition for Action on Supervised Release

COMES NOW Jay Kellum, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Michael Wade Rapoza, who, upon an earlier plea of guilty to Possession of a Stolen Firearm and Aiding and Abetting, in violation of 18 U.S.C. §§ 922(j), 924 and 2; and Possession of a Firearm With an Obliterated, Removed, or Altered Serial Number and Aiding and Abetting, in violation of 18 U.S.C. §§ 922(k), 924, and 2, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on October 27, 2014, to the custody of the Bureau of Prisons for a term of 48 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Michael Wade Rapoza was released from custody on October 16, 2017, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 30, 2017, the defendant requested permission from the U.S. Probation Office to attend a family vacation in South Carolina. The defendant was instructed to provide all the relevant information concerning the trip to his supervising U.S. Probation Officer. On November 22, 2017, the defendant left a message for his probation officer stating he had the requested information and to please call him back. On November 28, 2017, the U.S. Probation Office became aware that the defendant left the country through the Port of Charleston, South Carolina, on November 25, 2017, and went on a cruise that returned on November 30, 2017. On December 5, 2017, the defendant was confronted with the violation conduct, to which he admitted to leaving the country on a cruise. The defendant stated he was unaware that the vacation his family had planned was a cruise. The defendant apologized for leaving on the cruise without first obtaining permission. As a sanction for the violation conduct, it is respectfully recommended that the defendant complete 20 hours of community service by March 5, 2018.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 20 hours of community service by March 5, 2018, as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Jay Kellum
Jay Kellum
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5109
Executed On: December 7, 2017

ORDER OF THE COURT

Considered and ordered this 7 day of December, 2017, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge